



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5720
PERS 00J6/201800228
February 7, 2018

Mr. Brian Burns
318 North Main
Conroe, TX 77301

Dear Mr. Burns:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST

This is in response to your Freedom of Information Act (FOIA) request of February 6, 2018. You seek a copy of adverse information which may be contained in the U.S. Navy Official Military Personnel File (OMPF) pertaining to Donald A. Wittwer. Your request was received in this office on February 7, 2018, has been assigned FOIA correspondence file number CNPC20180228 by this command.

OMPF documentation is contained in a Privacy Act record and personal privacy is considered high. If any responsive adverse documentation is contained in the applicable OMPF it would be exempt from disclosure under FOIA exemption 6 [5 U.S.C. § 552(b)(6)]. Release of such information would be a clearly unwarranted invasion of the personal privacy of Donald A. Wittwer and other identified individuals. If any responsive law enforcement adverse information is contained in the applicable OMPF it would be exempt from disclosure under FOIA exemption 7(c). Release of such information could be a clearly unwarranted invasion of the personal privacy of Donald A. Wittwer and other identified individuals.

Because your request is denied by this command, you are advised of your right to appeal this determination in writing to the Office of the Judge Advocate General, OJAG Code 14, 1322 Patterson Avenue SE Suite 3000, Washington Navy Yard, DC 20374-5066.

If an appeal is deemed necessary, it must be received in that office within 90 calendar days from the date of this letter, in order to be considered. To expedite an appeal, you should enclose a copy of this letter and a copy of the original request along with a statement regarding why your appeal should be granted. The letter of appeal and the envelope should bear the notation, "FOIA/PA APPEAL."

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I am the official responsible for the denial of your request. Should you wish to discuss the processing of your request, you may contact the undersigned at (901) 874-3165. You may also contact the DON FOIA Public Liaison, Christopher Julka, at Christopher.a.julka@navy.mil or (703) 697-0031. You may also contact the Office of Government Information Services (OGIS) as they provide a voluntary mediation process for resolving disputes between persons making FOIA requests and the Department of the Navy (DON). For more information go to <https://www.archives.gov/ogis/about-ogis/contact-information>.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. P. German', with a stylized flourish extending to the right.

D. P. GERMAN
FOIA/PA Officer
By direction